OIPE JC40 NOV 27 1998 PATENT & TRADEMARK OFFICE

4

DECLARATION, POWER OF ATTORNEY, and PETITION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "Immune Activation By Double-Stranded Polynucleotide", the specification of which (check one) ☒ is attached hereto. ☒ was filed on September 11, 1998 as Application Serial No. 09/151,612 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

			Priority Claimed	
			Yes	No
(Number)	(Country)	Day/month/year filed	☐	☐
(Number)	(Country)	Day/month/year filed	☐	☐

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing date)	(Status)	(patented, pending, abandoned)
(Application Serial No.)	(Filing date)	(Status)	(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint John E. Kidd, Reg. No. 19,916; Margaret B. Kelley, Reg. No. 29,181; Philip E. Roux, Reg. No. 31,295; C. Joseph Laughon, II, Reg. No. 31,389; Leora Ben-Ami, Reg. No. 32,455; Robert D. Schaffer, Reg. No. 33,775; Michael M. O'Shea, Reg. No. 35,631; Patricia A. Carson, Reg. No. 36,473; Gerard P. Norton, Reg. No. 36,621; John T. Johnson, Reg. No. 37,363; Gregory P. Silberman, Reg. No. 39,836; Frank Cimino, Reg. No. 39,945; William D. DeVaul, Reg. No. 42,483; Frank J. Nuzzi, Reg. No. 42,944, all of the firm of Rogers & Wells, 200 Park Avenue, New York, New York 10166-0153; James C. Haight, Reg. No. 25,588; Robert Benson, 33,612; Jack Speigel, 34,477; Susan S. Rucker, 35,762; David R. Sadowski, 32,808; Steven M. Ferguson, 38,448; John Peter Kim, 38,514; and Stephen L. Finley, 36,352, all of the Office of Technology Transfer, National Institute of Health, 6011 Executive Boulevard, Suite 325, Rockville, MD 20852; my attorney with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

I further direct that all correspondence concerning this application be directed to:

Rogers & Wells
200 Park Avenue
New York, N.Y. 10166-0153

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

Full name of sole or first inventor Leonard D. Kohn
Inventor's signature Leonard D Kohn Date 10/19/98
Residence 9630 Parkwood Drive, Bethesda, MD 20814
Citizenship U.S.A.
Post Office Address

Full name of second joint inventor, if any Koichi Suzuki
Second Inventor's signature Koichi Suzuki Date 10/19/98
Residence 11708 Stonewood Lane, North Bethesda, MD 28052
Citizenship Japan
Post Office Address

Full name of third joint inventor, if any Atsumi Mori
Third Inventor's signature Atsumi Mori Date 10/26/98
Residence 4801 Fairmont Avenue, Apt. 914, Bethesda, MD 20814
Citizenship Japan
Post Office Address

Full name of fourth joint inventor, if any Ken Iishi
Fourth Inventor's signature Ken Iishi Date 10/19/98
Residence 257 Congressional Lane, Rockville, MD 20852
Citizenship Japan
Post Office Address

Full name of fifth joint inventor, if any Dennis M. Klinman
Fifth Inventor's signature Dennis M. Klinman Date 10/19/98
Residence 2 Candle Light Court, Patomac, MD 20854
Citizenship U.S.A.
Post Office Address

Full name of sixth joint inventor, if any John M. Rice
Sixth Inventor's signature John M. Rice Date 10/22/98
Residence 5465 Creek Bend Drive, West Chester, OH 45069-6444
Citizenship U.S.A.
Post Office Address

PE JC40
NOV 27 1998
PATENT & TRADEMARK OFFICE

4

DECLARATION, POWER OF ATTORNEY, and PETITION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "Immune Activation By Double-Stranded Polynucleotide", the specification of which (check one) ☒ is attached hereto. ☒ was filed on September 11, 1998 as Application Serial No. 09/151,612 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

			Priority Claimed	
			Yes	No
(Number)	(Country)	Day/month/year filed	☐	☐
(Number)	(Country)	Day/month/year filed	☐	☐

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing date)	(Status)	(patented, pending, abandoned)
(Application Serial No.)	(Filing date)	(Status)	(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint John E. Kidd, Reg. No. 19,916; Margaret B. Kelley, Reg. No. 29,181; Philip E. Roux, Reg. No. 31,295; C. Joseph Laughon, II, Reg. No. 31,389; Leora Ben-Ami, Reg. No. 32,455; Robert D. Schaffer, Reg. No. 33,775; Michael M. O'Shea, Reg. No. 35,631; Patricia A. Carson, Reg. No. 36,473; Gerard P. Norton, Reg. No. 36,621; John T. Johnson, Reg. No. 37,363; Gregory P. Silberman, Reg. No. 39,836; Frank Cimino, Reg. No. 39,945; William D. DeVaul, Reg. No. 42,483; Frank J. Nuzzi, Reg. No. 42,944, all of the firm of Rogers & Wells, 200 Park Avenue, New York, New York 10166-0153; James C. Haight, Reg. No. 25,588; Robert Benson, 33,612; Jack Speigel, 34,477; Susan S. Rucker, 35,762; David R. Sadowski, 32,808; Steven M. Ferguson, 38,448; John Peter Kim, 38,514; and Stephen L. Finley, 36,352, all of the Office of Technology Transfer, National Institute of Health, 6011 Executive Boulevard, Suite 325, Rockville, MD 20852; my attorney with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

I further direct that all correspondence concerning this application be directed to:

Rogers & Wells
200 Park Avenue
New York, N.Y. 10166-0153

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

Full name of sole or first inventor Leonard D. Kohn
Inventor's signature Leonard D Kohn Date 10/19/98
Residence 9630 Parkwood Drive, Bethesda, MD 20814
Citizenship U.S.A.
Post Office Address

Full name of second joint inventor, if any Koichi Suzuki
Second Inventor's signature Koichi Suzuki Date 10/19/98
Residence 11708 Stonewood Lane, North Bethesda, MD 28052
Citizenship Japan
Post Office Address

Full name of third joint inventor, if any Atsumi Mori
Third Inventor's signature Atsumi Mori Date 10/26/98
Residence 4801 Fairmont Avenue, Apt. 914, Bethesda, MD 20814
Citizenship Japan
Post Office Address

Full name of fourth joint inventor, if any Ken Iishi
Fourth Inventor's signature Ken Iishi Date 10/19/98
Residence 257 Congressional Lane, Rockville, MD 20852
Citizenship Japan
Post Office Address

Full name of fifth joint inventor, if any Dennis M. Klinman
Fifth Inventor's signature Dennis M. Klinman Date 10/19/98
Residence 2 Candle Light Court, Patomac, MD 20854
Citizenship U.S.A.
Post Office Address

Full name of sixth joint inventor, if any John M. Rice
Sixth Inventor's signature John M. Rice Date 10/22/98
Residence 5465 Creek Bend Drive, West Chester, OH 45069-6444
Citizenship U.S.A.
Post Office Address